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Security Council

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Friday, 23 September 2005, 10.20 a.m.

New York

President:	Mr. Baja	(Philippines)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Idohou
	Brazil	Mr. Tarrisse da Fontoura
	China	Mr. Cheng Jingye
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mrs. Papadopoulou
	Japan	Mr. Oshima
	Romania	Mr. Motoc
	Russian Federation	Mr. Smirnov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mrs. Patterson

Agenda

The situation in the Middle East, including the Palestinian question

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05-52093 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Alvaro de Soto, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

It is so decided.

I invite Mr. De Soto to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Alvaro de Soto, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General. I now give him the floor.

Mr. De Soto: In the early hours of 12 September, Israel withdrew the last of its military personnel and installations from the Gaza Strip, the first such withdrawal from occupied Palestinian territory since 4 June 1967. Furthermore, as of 20 September, and following the completion of the evacuation of civilian army infrastructure from four settlements in the northern West Bank, Israeli forces put an end to their permanent presence in the area of the evacuated settlements.

On 20 September the Quartet, meeting in New York, welcomed that development, paid tribute to the political courage of Prime Minister Sharon, commended the Israeli Government, its armed forces and its police for the smooth and professional execution of the operation and expressed its appreciation for the responsible behaviour of the Palestinian Authority and the Palestinian people for helping to maintain a peaceful environment during the evacuation.

Facing vociferous opposition, the Israeli Government has proved its ability to carry out democratic decisions in the general interest while knowing that they would cause pain and disruption to a significant number of its citizens. The exemplary consideration shown by the Israeli armed forces towards those affected, on some of whom carefully measured force had to be employed, shows that they can be held to the highest standards in dealing with civilians.

In his statement last week at the High-level Plenary Meeting of the General Assembly, Prime Minister Sharon said to the gathered leaders that the Palestinians "are also entitled to freedom and to a national, sovereign existence in a State of their own" (*A/60/PV.5*). By withdrawing from the Gaza Strip and ending military law there, he said, "[T]he State of Israel proved that it is ready to make painful concessions in order to resolve the conflict with the Palestinians". Looking ahead, the Prime Minister added,

> "Successful implementation of the disengagement plan opens a window of opportunity for advancing towards peace, in accordance with the sequence of the road map. The State of Israel is committed to the road map and to the implementation of the Sharm el-Sheikh understandings. And I hope that it will be possible, through them, to renew the political process". (*Ibid.*)

The timing of Israel's disengagement was not the result of an agreement with the Palestinian side, but of a unilateral Israeli decision. However, all relevant sectors of the Palestinian Authority worked diligently and constructively to coordinate with their Israeli counterparts, with the good offices and assistance of James Wolfensohn, the Quartet's Special Envoy for Disengagement; General William Ward, the United States Security Coordinator; and other international actors, the Egyptian Government prominent among them. Early fears that the operation might have to be conducted under fire were dissipated. Palestinian armed groups by and large held back from violent action against settlers. The Israeli settlers, armed forces and police withdrew in peace. The habit of coordination developed among Palestinians and Israelis in the last few months is a valuable asset on which to continue building in the coming period.

With regard to Quartet engagement and activities, the Quartet met at the United Nations on 20 September to discuss the Israeli withdrawal and the prospects for movement towards peace in the Middle East. A statement was issued following the meeting, and the principals held a press conference. I can therefore spare members of the Security Council a detailed exegesis. However, I should like to highlight a few issues that were discussed.

One was how to take advantage of the momentum gathered and move ahead. It was essential to bring about an early improvement in the daily lives of Palestinians. Quick-impact, employment-generating projects are envisaged for that purpose, but it is also urgent that the parties should come to resolution on the four issues related to movement of persons and goods, out of the six issues identified by James Wolfensohn. The Quartet also focused on the need for renewed action in parallel by both parties on their obligations, in accordance with the sequence of the road map. Elections are foreseen soon in occupied Palestinian territory, and possibly in Israel down the road. Bold initiatives will have to await the propitious moment.

Another issue discussed by the Quartet was that of armed groups and the political process in the Palestinian territories. The Quartet noted that the Palestinian Authority leadership has condemned violence and has sought to encourage Palestinian groups who have engaged in terrorism to abandon that course and engage in the democratic process. "Ultimately", said the Secretary-General speaking on behalf of the Quartet at the subsequent press conference,

> "those who want to be part of the political process should not engage in armed group or militia activities, for there is a fundamental contradiction between such activities and the building of a democratic State". (*Press release SG/SM/10115*)

In response to questions, Quartet members made clear, against that background, that they viewed the forthcoming legislative elections as part of a transition towards a democratic system. That must be a Palestinian process, on which Palestinians must be in the lead. They should be able to count on the necessary cooperation of all concerned so that the transition proceeds successfully.

Beyond disengagement, the Quartet urged the parties to return to the cooperative agenda agreed upon at Sharm el-Sheikh and to avoid unilateral actions that prejudice final status issues. The Quartet reaffirmed that any final agreement must be reached through negotiations between the parties and that the new Palestinian State must be truly viable, with contiguity in the West Bank and connectivity to Gaza.

While noting that in Gaza and the northern West Bank Israel had in fact acted beyond its obligations as provided in the first phase of the road map, the Quartet expressed its concern that settlement expansion elsewhere must stop and urged Israel to remove all unauthorized outposts. The Quartet continued to note with concern the route of the Israeli separation barrier, particularly as it results in the confiscation of Palestinian land, cuts off the movement of people and goods and undermines Palestinians' trust in the road map process, as it appears to prejudge the final borders of a Palestinian State.

With regard to disengagement, I do not need to dwell on the details of the withdrawal referred to in last month's briefing and earlier in this presentation. It was executed with surprising speed and well in advance of the scheduled dates. There are no longer any Israeli military personnel or installations, and what has been left behind is being dealt with in accordance with understandings reached between the parties. United Nations agencies and programmes are working in support of the goals laid down by the Quartet. The success of those activities will depend, to a great degree, on swift and efficacious access and on an adequate security environment, particularly in the Gaza Strip, so that United Nations agencies can operate safely and effectively.

With regard to security and violence, in last month's briefing we referred to the worsening in the Palestinian internal security situation during the run-up to the withdrawal and immediately afterward. The killing, apparently an extrajudicial execution, of former security chief Musa Arafat, and the chaos of spontaneous Palestinian celebrations in the wake of Israeli withdrawal, particularly at the Egyptian border, underscore the need for credible action by the Palestinian Authority to bring the perpetrators of past violent actions to justice.

It was reported by the Palestinian Authority that, amid the Palestinian celebrations at Rafah following

Israel's withdrawal, some light arms had been smuggled into the Gaza Strip. Palestinian Authority President Mahmoud Abbas pledged to prevent further border infiltrations. On 15 September, as the Egyptian border police force was completing its deployment along the Philadelphi route, the border with the Gaza Strip was closed, ending four days of large-scale free passage in both directions. The border remains closed.

Violence continued elsewhere during the past month. This morning Israeli special units killed three Palestinians in Tulkarem, and rockets were fired from Beit Hanoun into Israel. Earlier in the month a Palestinian stabbed two yeshiva students, one British and one American, in the Old City of Jerusalem, killing one and injuring the other; the Israeli Defense Forces (IDF) killed five Palestinians in Tulkarem; and a Palestinian suicide bomber blew himself up in Beer Sheva in Israel. Home-made rockets, mortar shells and anti-tank missiles were also fired from different locations inside the Gaza Strip towards Israeli-controlled areas and nearby Israeli towns, though at a significantly decreased level. During the reporting period, a total of 15 Palestinians, in addition to one foreigner, were killed.

On barrier construction and settlement activities, the construction of Israel's West Bank barrier is progressing rapidly in those parts of the route which have not been contested in court and for which judicial orders to suspend construction have not been issued. As of 1 July 2005, approximately 215 kilometres had been completed and 176 kilometres are under construction, or about 58 per cent of the barrier's total length.

When my colleague, Ibrahim Gambari, head of the Department of Political Affairs, briefed the Security Council a month ago (see S/PV.5250), he mentioned land requisition orders to allow the extension of the barrier around Jerusalem eastward so as to envelop the settlement of Ma'ale Adumim, which has elicited great concern, as it could have the practical effect of bisecting the West Bank. Construction of this segment of the barrier has not begun. As concerns the controversial E1 plan for settlement construction in the area between Jerusalem and Ma'ale Adumim, the Deputy Prime Minister recently reiterated Israel's commitment to keep it frozen, while reiterating Israel's intention to build it in due course.

I turn now to the question of closures and movement restrictions. In a June 2004 report entitled "Disengagement, the Palestinian Economy and the Settlements", the World Bank stated that:

> "Palestinian economic recovery depends on a radical easing of internal closures throughout the West Bank, the opening of Palestinian external borders to commodity trade, and sustaining a reasonable flow of Palestinian labour into Israel".

In James Wolfensohn's words, based on the Bank's findings, "without the re-establishment of free movement inside the West Bank, a viable Palestinian economy is not possible".

Since the beginning of 2005, there has been a 37 per cent reduction in the number of internal obstacles on roads in the West Bank, including checkpoints. These obstacles now number 376, according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Much of the reduction has been in the northern West Bank, where movement has been freed up in line with disengagement from four northern West Bank settlements. Obstacles have also been removed in the western area of the West Bank, where the barrier is under construction, making many of those obstacles redundant.

The biggest impact of this easing is to improve Palestinian access to health and education services, particularly from villages to main towns. It is unlikely, however, that this will result in a significant improvement in the economic situation, as delays still occur as a result of random vehicle checking and restrictions on movement entering and exiting from main cities, especially Jerusalem.

Through a series of discussions, OCHA and the IDF have reached a common understanding on the number and location of checkpoints and other obstacles, albeit with minor differences in definition. Further dialogue with the Palestinian Authority and the Israel Defense Forces, with the aim of easing restrictions on Palestinian movement, combined with a more in-depth examination of the impact of physical obstacles, is being conducted by OCHA.

The withdrawal of Israeli soldiers resulted in the removal of internal movement restrictions imposed by Israel in the Gaza Strip. Tight restrictions continue on issuance of permits for Gaza Strip workers in Israel and the Erez industrial estate at the north of the Strip. On 1 September, Palestinian merchants from the West Bank were allowed to enter Israel for the first time

since a general closure was imposed on 12 July 2005. Only a limited number of Palestinian workers with permits are allowed entry to Israel and East Jerusalem.

I now turn to the situation in Lebanon. On 19 September, Prime Minister Siniora presented his Government's plans for political, economic and institutional reforms to the core group ministerial meeting on Lebanon in New York. The Secretary-General and other members reaffirmed their intention to assist the Government of Lebanon in its efforts to institute reforms and achieve lasting stability. Another major challenge for the new Government is to implement effective reforms in the security apparatus. We were reminded of the importance of this last Friday when a new bomb went off in a densely populated area in eastern Beirut, killing one person and injuring more than 20. The Secretary-General strongly condemns this act of terrorism. He expresses the resolve of the United Nations, and indeed the international community, to assist the Government of Lebanon in its efforts to improve the security situation in the country and to bring to justice the perpetrators of this and other similar acts of terror.

While it appears that these acts have been designed to create panic and perhaps provoke reactions amongst the Lebanese public, our impression is that there has been a mature and calm approach in the face of these provocations. It is clear that the majority of Lebanese are determined not to have their progress towards a united, sovereign and democratic Lebanon derailed. We must continue to work to help the Lebanese achieve this.

Over this past month, the Blue Line also remained relatively calm, despite the firing of two missiles from Lebanese territory on 25 August. One landed close to the Lebanese village of Meis el Jabal, the other across the Blue Line close to a residential area of Kibbutz Margilot in northern Israel. Fortunately, there were no casualties. Hizbullah denied any involvement, and there was a claim of responsibility from Palestinian Islamic Jihad. However, it has not been possible to definitely establish who was responsible. It is nonetheless clear that this again underlines the need for the Government of Lebanon to exert its full authority in the south and prevent such violations from taking place.

Over this past month, there were seven Israeli violations of Lebanese airspace observed by the United Nations Interim Force in Lebanon (UNIFIL), the latest on 22 September. On 8 September the Israeli authorities handed over the body of a Hizbullah fighter who had been killed in the Shab'a farms area on 29 June. The arrangements for this transfer were made through the International Committee of the Red Cross.

Tension increased on 16 September when two Lebanese shepherds who had crossed the Blue Line in the Shab'a farms area were apprehended by the IDF. UNIFIL liaison with both sides worked in the first instance to handle the issue in a calm, non-escalatory manner. This facilitated a resolution, with the IDF releasing the shepherds the next day through UNIFIL.

Allow me to close with a few personal comments. The objective benefits of the recently concluded disengagement from Gaza and the northern West Bank are obvious and fairly easy to itemize. The Palestinians have experienced the joy of the departure of the occupier; the Israelis are no longer saddled with the unrewarding, Sisyphus-like grind of securing a piece of land in which, to paraphrase Prime Minister Sharon's 15 August speech, squalor and resentment are untenably juxtaposed with prosperity. Israel has demonstrated that it can make the sacrifices that are required to make peace; the Palestinians have shown self-restraint in the face of unilateral decisions and tight time frames. Forces of moderation have prevailed over those of extremism to mingle again — dare I say it? — in a shared mainstream of moderation and willingness to compromise. A mechanism for coordination at all levels is in place and is working. A basis has been laid for a true partnership, which should encourage each party to understand and address the other's legitimate needs and concerns.

The Israeli need for security has led them to install, encroaching on Palestinian occupied territory, a barrier — a generic term encompassing a combination of grid fences, barbed wire, trenches, electronic devices, watch towers and, in some places, most prominently around Jerusalem, a dauntingly high and very forbidding-looking wall. In addition, Israel runs a system of roadblocks and checkpoints — some stable, some intermittent — to control the movement of persons and goods into and throughout much of the West Bank.

Apart from impeding economic revival, to many Palestinians — and I speak here of the millions who have no connection with, or sympathy for, those who

resort to violence, and who merely wish to move about to earn their living or visit their separated loved ones, attend school or seek medical care — the barrier and the closures, and the travails of traversing them, are a source of humiliation and a constant check on their aspiration to one day run their own affairs. The expense incurred in the building of the barrier raises doubts in some minds as to its stated provisionality. Questions have also been posed as to whether the purpose is only to ensure security.

Beyond the relief of recovered land and freedom of internal movement, the Palestinians who live in Gaza will wonder what has changed if this is not followed by their ability to link up with their brethren in the West Bank and in the outside world.

While Israelis should understand those considerations and recognize that it is ultimately in their interest to address them, Palestinians for their part must understand, accept and address Israel's need to be assured of the safety and security of its citizens. Countless innocent Israelis have fallen victim to terrorist acts, and Israelis have a right to demand that this should cease. Palestinians — not just the leadership and not just the mainstream — must accept that there can be a solution to the conflict between Israel and Palestine only in the framework of two States living alongside each other and sorting out their differences peacefully and respectfully. They must renounce the resort to violence as a means to achieve their ends, however legitimate these may be. Those who have carried out acts of terror or instigated them should understand that this has rendered the achievement of the goal of a State in which Palestinians live in freedom and dignity more distant rather than the contrary.

It is often overlooked that security, broadly writ, is not just an Israeli requirement. The Palestinian people at large demand that law and order be established in the streets, which means not only an efficient police but also a reliable court system and an end to impunity and to corruption. The Palestinian Authority is the underpinning for a still incipient State-to-be; the Palestinians understandably expect it to discharge the responsibilities which normally fall to the Government in a State. As members of the Quartet said on Tuesday, 20 September, at their press conference, the Palestinian Authority is in transition to democracy. It must be seen by the Palestinians that it is indeed pointed in that direction and moving toward it. The political will of the Palestinian Authority must be unequivocal.

Development of a State run by the rule of law, in which the Government holds the monopoly over the instruments of violence — clearly a Palestinian interest — goes hand in hand with the strengthening of Israel's sense of security. A State at peace with itself generates security in its neighbours.

Let me conclude with this thought. It is unfortunately difficult to circumvent the classic chicken-and-egg conundrum: Israeli leaders demand an end to violence before addressing further Palestinian concerns; Palestinian leaders find it difficult, for their part, to persuade extremists to restrain themselves and accept to work toward a democracy if they are unable to point to a visible prospect of satisfaction of their legitimate goals on the horizon.

Beyond disengagement, it is difficult to see how this conundrum can be resolved, and the process moved forward, other than by the discharge, in parallel, of the parties' respective obligations, which is the approach of the Quartet in the road map, which has been endorsed by the Council. In the light of the mix of facts created on the ground and declarations of intent by Israel, many Palestinians wonder about the prospects for a viable Palestinian State down the road. Only Israel can persuade them that this is still achievable and thus encourage them to work cooperatively toward that goal. For their part, the Israelis have reason to query whether the State that is emerging next door will be a good neighbour. To renew the Israelis' faith, the Palestinians would have to show that they indeed will be such a neighbour, by making concrete and convincing efforts to end violence. Thus, understanding each other's needs and concerns, the parties would advance on parallel, mutually reinforcing tracks.

The President: I thank Mr. De Soto for his comprehensive briefing.

In accordance with the understanding reached earlier, I shall now suspend the meeting and invite Council members to informal consultations. Thereafter, I shall resume the meeting in order to read out a statement by the President.

The meeting was suspended at 10.55 a.m. and resumed at 12.15 p.m.

The President: After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council supports the statement issued in New York on 20 September 2005 by the Quartet, which is annexed to this statement.

"The Security Council urges the Government of Israel and the Palestinian Authority to cooperate, along with other parties concerned, with the efforts to achieve the goals set out in the Quartet statement.

"The Security Council calls for renewed action in parallel by the Government of Israel and the Palestinian Authority on their obligations in accordance with the road map, to ensure continued progress towards the creation of an independent, sovereign, democratic and viable State of Palestine living side by side with Israel in peace and security.

"The Security Council stresses the importance of, and the need to achieve, a just, comprehensive and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference and the principle of land for peace."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2005/44.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.20 p.m.